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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA
FIRST APPELLATE DISTRICT
DIVISION FOUR

In re O.M., a Person Coming Under the
Juvenile Court Law.

SONOMA COUNTY HUMAN
SERVICES DEPARTMENT,

Plaintiff and Respondent,

v.

RACHELLE M.,

Defendant and Appellant.

A134889

(Sonoma County
Super. Ct. No. 1353DEP)

I.

INTRODUCTION

Appellant Rachelle M. is the mother of minor O.M., the subject of this appeal. Appellant has filed an appeal from the termination of her parental rights pursuant to Welfare and Institutions Code section 366.26.¹ After an examination of the record, appellant's appointed counsel notified this court that she was unable to submit an opening brief on the merits because she found no arguable issues to raise on appeal. (*In re Sade C.* (1996) 13 Cal.4th 952 (*Sade C.*)). Although appellant has filed a letter brief on her own, she asserts no claim of legal error and cites no legal authority. After conducting an independent review of the record, we will affirm the juvenile court's orders.

¹ Unless otherwise designated, all further statutory references are to the Welfare and Institutions Code.

II.

FACTS AND PROCEDURAL HISTORY

A jurisdictional/dispositional hearing was held on August 24, 2010, which resulted in O.M. and her sibling being declared dependent children of the juvenile court. This was not the first time O.M.'s family had dealings with the juvenile dependency system. O.M. was removed from parental custody at birth in 2001, the family had received services, and she was reunified with appellant in or about 2004. In this most recent dependency case, the children were removed from the home after it was found to be filthy and unsafe with safety hazards. Furthermore, the parents were not attending to the children's medical, special education and mental health needs. Eight-year-old O.M. was not attending school. After the court assumed jurisdiction, appellant waived reunification services because she was pregnant and needed to address her immediate needs and stabilize her situation.² O.M. was placed in a foster home.

Between the jurisdictional/dispositional hearing and the 12-month hearing, appellant did not consistently visit with O.M. The Sonoma County Human Services Department (the Department) had difficulty locating and keeping track of appellant. O.M. meanwhile was adjusting well to her foster home placement.

Mother was not present at the 12-month review hearing held on August 11, 2011. The court set the case for a section 366.26 hearing.

Monthly supervised visitation between appellant and O.M. started again in September 2011. Appellant visited once in September but the visit scheduled for October did not take place, as appellant didn't call to confirm the visit. O.M.'s therapist reported that O.M. was feeling anxious about visiting her mother and that she had stated that she wished to be adopted.

In the adoption assessment prepared by the Department, it was reported that ten-year old O.M. "has a warm relationship with her potential adoptive mother and would benefit from the establishment of a permanent parent/child relationship through adoption.

² O.M.'s father is not a party to this appeal.

. . . [O.M.] is very clear that she wants to be a permanent part of the foster mother's family and has told all the social workers involved with her that she wants to be adopted by her foster mother." It was recommended that parental rights be terminated pursuant to section 366.26 because O.M. "deserves the right to be raised in a permanent, stable home environment under the care and custody of a stable nurturing parent where she will be provided adequate food, clothing, shelter, medical care, education and a secure place in the community."

The section 366.26 hearing was held on February 7, 2012. At the hearing, the social worker testified that between September 2011 and February 2012, appellant had attended three of the five supervised monthly visits. The social worker further reported that appellant had missed several of her monthly visits because she was required to call in advance to confirm the visit and had failed to do so. She also testified that O.M. had told her foster mother, social worker and therapist that she wanted to be adopted.

Appellant testified in her own behalf. She indicated that she had health issues that made it difficult for her to attend visits with her four children, all of whom were placed out of her custody. Appellant requested that the court place O.M. in long-term foster care so that "the door would be open" in the event appellant could prove to the court "that I can handle her." At the conclusion of the hearing the court terminated parental rights and freed O.M. for adoption.

Appellant appealed, and this court appointed counsel to represent her. Appellate counsel submitted a brief under the authority of *Sade C.*, *supra*, 13 Cal.4th 952, and *Anders v. California* (1967) 386 U.S. 738 setting forth a statement of the case and a summary of the facts. Counsel found no arguable issues but requested this court to undertake an independent review of the entire record. We invited appellant to file a supplemental brief "stating any issues you feel should be reviewed on appeal." Appellant filed a handwritten letter brief with this court.

Having reviewed appellant's letter brief, we conclude she raises no arguable issue regarding the order terminating her parental rights as to O.M. Apart from expressing love for O.M. and requesting our complete reconsideration of the termination of her parental

rights, appellant's letter brief does not provide any reasoned argument or authority showing that any of the trial court's procedural or substantive rulings as to matters properly within the scope of this appeal constituted reversible error.

In conclusion, even though we are not required to conduct an independent review of the record under *Sade C., supra*, 13 Cal.4th 952, we have done so. We have completed that review and find no arguable issues.

III.

DISPOSITION

The order terminating parental rights is affirmed.

RUVOLO, P. J.

We concur:

REARDON, J.

BASKIN, J.*

* Judge of the Contra Costa County Superior Court assigned by the Chief Justice pursuant to article VI, section 6 of the California Constitution.